IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

SATURDAY, THE TWENTY EIGHTH DAY OF FEBRUARY,
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. JUSTICE: A. GOPAL REDDY

W.P. No. 3773 of 2004

Between:

S. Yellaiah, S/o. Late S. Sarvaiah,
R/o. 6-1-276/A (Old No.8),
Walker Town, Padmarao Nagar,
Secunderabad

Petitioner

AND

1. The Additional Commissioner, M.C.H., Secunderabad Division, Secunderabad
2. The Commissioner, Municipal Corporation of Hyderabad, Hyderabad

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or direction

(a) by declaring the action of the Respondents in trying to demolish the petitioner's property bearing No. 6-1-276/A (Old No. 8), admeasuring 450 Sq.Yards, situated at Walker Town, Padmarao Nagar, Secunderabad, by issuing Section 405 of the H.M.C. Act, as illegal, improper and unconstitutional

(b) to direct the Respondents not to demolish the house of the petitioner bearing house No.6-1-276/A (Old No.8), admeasuring 450 Sq.Yards, situated at Walker Town, Padmarao Nagar, Secunderabad

(c) to direct the Respondents to amend the layout, dated 12-8-1985 by deleting the open place as shown in the layout instead of petitioner's House.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. Wasim Ahmed Khan, Advocate for the Petitioner, the Court made the following

ORDER:

" Post for admission on 3-3-2004.
Till then, stay of demolition and dispossession pursuant to the impugned notice of the respondent-corporation dated 27-2-2004."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Additional Commissioner, M.C.H., Secunderabad Division, Secunderabad
2. The Commissioner, Municipal Corporation of Hyderabad, Hyderabad
   (ADDRESSES 1 & 2 BY RPAD)
3. One Spare Copy.

MSR

HIGH COURT

DATE: 28-2-2004

ORDER

W.P.No. 3773 of 2004

STAY OF DEMOLITION

HIGH COURT

DRAFTED BY: MSR
DRAFTED ON: 1-3-2004

AGRJ

DATE: 28-2-2004

NOTE: POST FOR ADMISSION ON 3-3-2004

ORDER

W.P.No. 3773 of 2004

DIRECTION